

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE

FEDERAL EXPRESS CORPORATION

v.

UNITED PARCEL SERVICE, INC.

ORDER

YOUNG, D. J.

**Basic Procedures and Modification to Local Rules**

This action has been assigned to Judge Young for all further proceedings. To clarify and expedite the determination of issues which may arise, the following procedures are established.

1. Except as otherwise set out in this Order or by subsequent order, the Western District of Tennessee Local Rules ("L.R.") apply to all further proceedings in this action.

2. Documents shall be filed as follows:

- (a) The original only of all documents to be filed with the clerk of court in the Western District of Tennessee, as usual.
- (b) A legible, complete copy of all documents presented to the clerk of court in the Western District of Tennessee for filing shall be mailed,

by priority mail or other expedited delivery, to:

Jennifer Gaudet, Deputy Clerk  
United States District Court  
Clerk's Office, Suite 2300  
1 Courthouse Way  
Boston, MA 02210

concurrent with the filing of the original with  
the clerk of court.

(c) The copy of the documents sent directly to  
Massachusetts shall incorporate or be accompanied  
by the proof of service on counsel and this  
session. Counsel shall incorporate into their  
certificate or affidavit of service a  
certification or affirmation that:

**A complete, duplicate copy of this  
document has been forwarded directly  
to Judge Young in Boston, MA.**

The foregoing should be understood to require that papers  
submitted to the clerk of court under seal should also be mailed  
to this session, either in a separate sealed envelope or stamped  
"filed under seal."

**3.** The following procedures govern oral argument on any  
dispositive motions filed hereafter:

(1) Dispositive Motions:

For motions filed pursuant to Rule 12(b) or Rule 56  
of the Federal Rules of Civil Procedure, any party desiring oral  
argument shall file a request for hearing with the motion, or

with an opposition to the motion. If a request is filed with the motion, any party filing an opposition is entitled to rely on that request and need not file an additional request. If a request is made for oral argument on a dispositive motion, the court will schedule oral argument. If no request is made, the court will not schedule oral argument.

Notwithstanding the preceding, if a party has already requested oral argument pursuant to the Local Rules in a pending case that is re-assigned to Judge Young, no further action shall be necessary to preserve that party's right to oral argument.

Unless otherwise ordered, when oral argument is granted it will be conducted electronically. The court will hear argument on the record in one of the courtrooms in Boston, Massachusetts.

Nothing in this paragraph extends the time for filing dispositive motions if that time has already expired pursuant to prior order of the court.

(2) Unless otherwise ordered, status conferences will be conducted telephonically. It will be the responsibility of the party requesting the status conference to arrange and pay for all necessary long-distance and conference telephone charges.

In cases where an incarcerated individual is a plaintiff, it will be the responsibility of the defendant(s) to arrange and pay for all necessary long-distance and conference telephone charges and to make appropriate requests to the institution where

plaintiff is incarcerated so that he may participate.

To make arrangement for a telephonic status conference, counsel shall contact Judge Young's Courtroom Deputy Clerk Jennifer Gaudet at (617) 748-9156.

(3) Any motion for reconsideration must be filed not more than ten days after the filing of the order whose reconsideration is sought, and shall not exceed five pages in length.

**4. Key personnel data**

In any assignment of this sort, myriad questions of practice and procedure arise. The Court authorizes the Courtroom Deputy Clerk to answer those questions.

She is:

Jennifer Gaudet  
Courtroom Deputy Clerk  
Clerk's Office, Ste. 2300  
1 Courthouse Way  
Boston, MA 02210  
(617) 748-9156

The Court also maintains, through the Court Reporter in this session, a searchable electronic data base of all its proceedings, i.e. motion hearings and trials from empanelment through charge and verdict. Mr. Womack may be contacted at:

[womack@megatran.com](mailto:womack@megatran.com)

DATED at Boston, Massachusetts, this 12th day of June, 2012.

/s/ William G. Young  
WILLIAM G. YOUNG  
UNITED STATES DISTRICT JUDGE